the land at that time as the agent of Daniel Murray and that they put Leonard Smith in possession of the same as thus located under their deeds.

The defendant then proved that John L. Hook was afterwards in possession of the land up to those lines under his deed that he sold the same to Ira E. Friend and put him in possession of it up to the same lines under his deed, that George Frantz father of the grantors of Elijah Friend showed Ira the Birch as the end of the sixteenth line of the Blooming Rose and Elijah Friend showed him the line running between the Birch and the Hickory as his line and the sixteenth line of the Blooming Rose and also the Hickory as the corner of his land and that Elijah Friend told the witness when he ran the sixteenth line to mark it so as he would know where it was. Defendant offered testimony tending to prove that Elijah Friend and George Frantz claimed the line as located by the defendant as the line of their deed and that Elijah Friend in his life time said the Hickory tree was his corner and the line as located by defendant as the sixteenth line of Blooming Rose to be the division line by showing it as such and offering to buy a part of Lot No. 3. on the Blooming Rose side from W. H. H. Friend the defendant. Defendant also proved by Ira E. Friend that he placed W. H. H. Friend in possession of the land conveyed by him to defendant as located by defendant some time before he made him the deed in 1869 and that he had been in possession ever since and on cross examination Ira E. Friend said that there was a dispute as to where the division line between himself and W. H. H. Friend, was in the deed he made to W. H. H. Friend.

Defendant then offered evidence tending to prove that the line located by him as the sixteenth line of The Blooming Rose tract had been recognized as the sixteenth line of said tract for over sixty years.

The defendant then counter-located the plaintiffs locations of Kensington and the two Military Lots 3138 and 3139 to make the same suit his location of the sixteenth line, the deed of Wm. F. Frantz to Forsyth and the deed from Forsyth to W. H. H. Friend for part of Kensington and the deed from the Frantz heirs to Elijah Friend, the father of the plaintiff as shown by Surveyors return and further offered in evidence the certificates of Military Lot. 3137.

State of Maryland Set;

Land Office of Maryland.

I, S. Thomas Scharf, Commissioner of the Land Office, do hereby certify that there is deposited in and belonging to the office aforesaid, a certain Record Book, entitled "Record of the Officers and Soldiers entitled to land Westward of Fort Cumberland, in Washington County, with the numbers of the lots drawn for them agreeably to an Act of the General Assembly, passed November Session, 1788."

Received into the Land Office the 14th November 1789.

By – John Callahan, Reg. L. O. W. S.

And that said Record Book, in a certain part thereof, under the caption of "Soldiers," entitled to land westward of Fort Cumberland contains among others, the following entry, viz:

Names	Rank and Regt.	Number
James Gould.	Lieut.	3137.